

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

ARTHUR T. JAMES GRIFFIN JR.,

Plaintiff,

vs.

CITY OF OMAHA POLICE DEPT.  
OFFICERS,

Defendant.

**8:22CV343**

**MEMORANDUM AND ORDER**

This matter is before the Court on Plaintiff Arthur T. James Griffin, Jr.'s Motion for Leave to Proceed in Forma Pauperis ("IFP"). [Filing No. 2](#). As stated in the Prison Litigation Reform Act ("PLRA"), a prisoner cannot

bring a civil action . . . or proceeding [IFP] if the prisoner has, on 3 or more prior occasions, while incarcerated or detained in any facility, brought an action . . . in a court of the United States that was dismissed on the grounds that it is frivolous, malicious, or fails to state a claim upon which relief may be granted, unless the prisoner is under imminent danger of serious physical injury.

[28 U.S.C. §1915\(g\)](#).

This Court has previously determined that three or more federal court cases brought by Plaintiff, while a prisoner, were dismissed as frivolous or for failure to state a claim. See *Griffin v. Omaha Police Dept, et al.*, Case No. 8:19CV495 (D.Neb.) ([Filing 10](#), Dec. 30, 2019 Memorandum and Order determining that three federal cases brought by Plaintiff while he was a prisoner were dismissed for failure to state a claim for relief and dismissing complaint pursuant to PLRA's "three strikes" provision).

In light of the foregoing, the Court will give Plaintiff 30 days in which to show cause why this case should not be dismissed pursuant to the provisions of [28 U.S.C.](#)

1915(g). In the alternative, Plaintiff may pay the full \$402.00 filing and administrative fees. In the absence of good cause shown, or the payment of the necessary fees, this action will be dismissed.

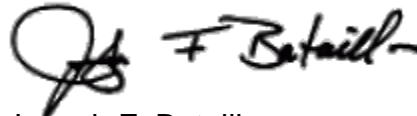
IT IS THEREFORE ORDERED:

1. Plaintiff has 30 days to either show cause for why this case should not be dismissed pursuant to 28 U.S.C. § 1915(g) or pay the Court's \$402.00 filing and administrative fees.

2. The clerk's office is directed to set a pro se case management deadline in this matter with the following text: **October 31, 2022**: deadline for Plaintiff to show cause or pay fees.

Dated this 30th day of September, 2022.

BY THE COURT:

A handwritten signature in black ink, appearing to read "J F Bataillon", with a stylized flourish at the end.

Joseph F. Bataillon  
Senior United States District Judge